

THIRD ADDENDUM TO PETITION (Probation Form 12)

RE: Demetrius Tray'Von Ware

Case No.: 2:20CR00029

March 13, 2023

The Honorable Richard F. Boulware, United States District Judge
Las Vegas

Honorable Judge:

Reference is made to the Probation Form 12, dated December 8, 2022, and addendums dated January 3, 2023, and January 23, 2023, alleging violations of supervision. We are requesting that the petition be amended to include the following:

1. Do Not Unlawfully Use Controlled Substance - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.

J. Ware failed to report for drug testing on the following dates:

February 11, 2023

February 27, 2023

March 4, 2023

March 6, 2023

March 11, 2023

K. Ware tested positive for methamphetamine on the following dates:

January 16, 2023

January 30, 2023

March 13, 2023 (signed Admission Report that he used on March 9, 2023)

L. Ware tested positive for marijuana on the following dates:

January 27, 2023

January 30, 2023

February 3, 2023

February 7, 2023

February 15, 2023

February 23, 2023

March 13, 2023 (signed Admission Report that he used on March 9, 2023)

M. Ware tested positive for cocaine on February 23, 2023 (On March 7, 2023, during a home visit Ware admitted that he had used cocaine on or about February 23, 2023).

N. On March 7, 2023, during a home visit Ware admitted to the undersigned officer that he used marijuana and an ecstasy the day prior.

2. **Substance Abuse Treatment** - You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

D. On March 2, 2023, Ware was unsuccessfully terminated from outpatient substance abuse treatment program at the treatment vendor Choices Counseling due to failure to participate and attend counseling.

EVALUATIVE SUMMARY

As detailed in the petition for warrant dated December 8, 2022, addendums dated January 3, 2023, January 23, 2023, and this addendum, Ware continues to test positive for various controlled substances, to include methamphetamine, cocaine, marijuana, and ecstasy. Pursuant to 18 U.S.C. § 3583 (g)(4) revocation is mandatory for testing positive for an illicit substance more than three (3) times in a 12-month period. Ware is a criminal history category IV and has a significant history of substance abuse and unfortunately once again is spiraling. Ware has received the benefit of residential treatment. There are no other options at this point.

Respectfully submitted,

Nickie Pipilakis
United States Probation Officer

Approved:

Todd J. Fredlund
Supervisory United States Probation Officer